

### REMARKS

This Reply is in response to the Notice of Non-Compliant Amendment mailed July 27, 2006. In that Notice, the amendment filed by Applicant on July 3, 2006 was considered non-compliant because a complete listing of all of the claims was not present.

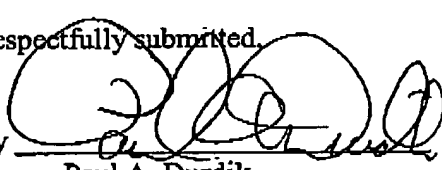
Applicant herewith submits a complete listing of all of the claims. However, Applicant notes that the Reply submitted April 17, 2006 in response to the February 9, 2006 Office Action **did** present a complete listing of all of the claims, and that the July 3, 2006 Reply merely repeated the claim amendments for claims 1 and 44, which had been present in the April 17, 2006 Reply but which the Examiner "did not find."

Therefore, Applicant respectfully requests that the additional delay incurred by the June 23, 2006 Office Communication and the July 27, 2006 Notice of Non-Compliant Amendment not be considered as a delay caused by Applicant when calculating patent term adjustment, since Applicant had submitted a fully compliant Reply in response to the February 9, 2006 Office Action.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

By

  
Paul A. Durdik  
Reg. No. 37,819

Dated: AUG 1, 2006

Customer No.: 23910  
FLIESLER MEYER LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone: (415) 362-3800 x227  
Fax: (415) 362-2928